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**UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF NEW YORK**

THE GUARDIAN LIFE INSURANCE  
COMPANY OF AMERICA,

Plaintiff,

-against-

TAHIR JIWAN and MOXY FINANCIAL  
GROUP, LLC,

Defendants.

Civil Action No: 1:21-cv-02639-VEC-SN

~~[PROPOSED]~~  
**DEFAULT JUDGMENT**

ECF CASE

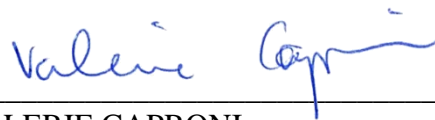
This action having been commenced on March 26, 2021 with the filing of a Complaint (Doc. No. 2); Defendant Tahir Jiwan (“Jiwan”) was served by Guaranteed Subpoena Process Server Lee Gauthreaux on May 6, 2021, by leaving copies of the Summons and Complaint at Jiwan’s dwelling house or usual place of abode with his wife and co-resident Alia Rasheed, a person of suitable age and discretion then residing therein (Doc. No. 14); and Defendant Moxy Financial Group, LLC (“Moxy”) was served by Guaranteed Subpoena Process Server Lee Gauthreaux on May 6, 2021, by leaving copies of the Summons and Complaint with Alia Rasheed, the Registered Agent of Moxy at her dwelling house or usual place of abode (Doc. No. 15); Proofs of Service upon Jiwan and Moxy were ECF filed on May 19, 2021 (Doc. No. 14 and Doc. No. 15); the date for the filing of an Answer or Motion pursuant to Federal Rule of Civil

Procedure 12 expired on May 27, 2021; no Answer or Motion pursuant to Federal Rule of Civil Procedure Rule 12 has been filed by Jiwan and/or Moxy; the default of Defendant Tahir Jiwan and the default of Defendant Moxy Financial Group, LLC having been noted on June 22, 2021 by the Clerk's Certificate of Default (Doc. No. 21); this Court having entered an Order on July 9, 2021 requiring Defendants to show cause on August 6, 2021 at 11:00 a.m. why Default Judgment should not be entered against Defendants; service of the Order to Show Cause and Plaintiff's supporting papers upon Defendants having been made by overnight mail and email on July 14, 2021; Plaintiff having presented calculations of the amount due to it from Defendants including pre-judgment interest (as reflected on the Statements annexed hereto as Exhibit A) in the total amount of \$249,709.69; and good cause having been shown;

**IT IS** on this 6 day of August, 2021 hereby

**ORDERED, ADJUDGED, AND DECREED** that Judgment be, and it hereby is, entered in favor of Plaintiff, The Guardian Life Insurance Company of America, and against Defendants Tahir Jiwan and Moxy Financial Group, LLC, in the amount of \$249,709.69 and Plaintiff, The Guardian Life Insurance Company of America, may recover from Defendants Tahir Jiwan and Moxy Financial Group, LLC the sum of \$249,709.69 plus post-judgment interest.

Judgment signed this 6 day of August, 2021.




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VALERIE CAPRONI,  
United States District Judge

# EXHIBIT A

# Loan statement

Guardian Life Insurance Company

**Customer/Agency:** Tahir Jiwan  
**Address:**  
**Status:** Terminated  
**Dept Code:** A92047

**From date:** 5/1/2020  
**To date:** 7/7/2021  
**Statement date:** 7/7/2021

**Loan ID:** 000375  
**Loan type:** Other  
**Loan Desc:** Trf from Sage Loan FR 01A PD

<b>Current interest rate:</b>	<b>Debt &amp; accrued interest:</b>
Secured: 0.00	<b>48,721.30</b>
Unsecured: 6.25	<b>0.00</b>
<b>Total debt balance:</b>	<b>48,721.30</b>

Transactions				Secured debt balance		Unsecured debt balance		Total debt balance		
Date	Voucher	Description	Debit/(Credit)	Principal	Interest	Principal	Interest	Principal	Interest	Total
5/1/2020		Beginning balance		48,721.30	0.00	0.00	0.00	48,721.30	0.00	48,721.30
7/7/2021		Ending balance		48,721.30	0.00	0.00	0.00	48,721.30	0.00	48,721.30

# Loan statement

Guardian Life Insurance Company

**Customer/Agency:** MOXY FINANCIAL, LLC.  
**Address:**  
**Status:** Terminated  
**Dept Code:** A90150

**From date:** 5/1/2020  
**To date:** 7/7/2021  
**Statement date:** 7/7/2021

**Loan ID:** 000374  
**Loan type:** PY GASmt  
**Loan Desc:** Trf from Sage Loan FR 01

**Current interest rate:**      **Debt & accrued interest:**  
 Secured: 3.75                      **19,960.22**  
 Unsecured: 4.75                   **181,028.17**  
**Total debt balance:**              **200,988.39**

Transactions				Secured debt balance		Unsecured debt balance		Total debt balance		
Date	Voucher	Description	Debit/(Credit)	Principal	Interest	Principal	Interest	Principal	Interest	Total
5/1/2020		Beginning balance		203,811.45	3,337.41	0.00	0.00	203,811.45	3,337.41	207,148.86
5/31/2020	IV-000000120	Interest	636.41	203,811.45	3,973.82			203,811.45	3,973.82	207,785.27
5/31/2020	WH-000167	ACS Whld 05/20	-160.80	203,650.65	3,973.82			203,650.65	3,973.82	207,624.47
6/30/2020	IV-000000195	Interest	630.98	203,650.65	4,604.80			203,650.65	4,604.80	208,255.45
6/30/2020	WH-000201	ACS Whld 06/20	-1,736.85	201,913.80	4,604.80			201,913.80	4,604.80	206,518.60
7/31/2020	IV-000000233	Interest	628.07	201,913.80	5,232.87			201,913.80	5,232.87	207,146.67
7/31/2020	WH-000249	ACS Whld 07/20	-930.73	200,983.07	5,232.87			200,983.07	5,232.87	206,215.94
8/31/2020	IV-000000269	Interest	626.55	200,983.07	5,859.42			200,983.07	5,859.42	206,842.49
8/31/2020	WH-000272	ACS Whld 08/20	-3,018.38	200,497.06	3,327.05			200,497.06	3,327.05	203,824.11
9/30/2020	IV-000000309	Interest	624.00	200,497.06	3,951.05			200,497.06	3,951.05	204,448.11
9/30/2020	WH-000304	ACS Whld 09/20	-817.31	199,679.75	3,951.05			199,679.75	3,951.05	203,630.80
10/31/2020	IV-000000350	Interest	622.97	199,679.75	4,574.02			199,679.75	4,574.02	204,253.77
10/31/2020	WH-000336	ACS Whld 10/20	-328.90	199,350.85	4,574.02			199,350.85	4,574.02	203,924.87
11/30/2020	IV-000000386	Interest	622.81	199,350.85	5,196.83			199,350.85	5,196.83	204,547.68
11/30/2020	WH-000371	ACS Whld 11/20	-50.56	199,300.29	5,196.83			199,300.29	5,196.83	204,497.12
12/31/2020	CI-000403	Unpaid interest capitalization	5,815.38	205,115.67	5,196.83			205,115.67	5,196.83	210,312.50

# Loan statement

Guardian Life Insurance Company

12/31/2020	CI-000405	Unpaid interest capitalization	-5,815.38	205,115.67	-618.55			205,115.67	-618.55	204,497.12
12/31/2020	IV-000000415	Interest	618.55	205,115.67				205,115.67		205,115.67
12/31/2020	WH-000399	ACS Whld 12/20	-1,365.67	203,750.00				203,750.00		203,750.00
1/31/2021	IV-000000455	Interest	631.88	203,750.00	631.88			203,750.00	631.88	204,381.88
1/31/2021	WH-000425	ACS Whld 01/21	-1,547.98	202,202.02	631.88			202,202.02	631.88	202,833.90
2/28/2021	IV-000000495	Interest	628.85	202,202.02	1,260.73			202,202.02	1,260.73	203,462.75
2/28/2021	WH-000450	ACS Whld 02/01	-969.33	201,232.69	1,260.73			201,232.69	1,260.73	202,493.42
3/31/2021	IV-000000534	Interest	624.03	201,232.69	1,884.76			201,232.69	1,884.76	203,117.45
3/31/2021	WH-000469	Payment	-1,544.62	199,688.07	1,884.76			199,688.07	1,884.76	201,572.83
4/30/2021	IV-000000564	Interest	622.21	199,688.07	2,506.97			199,688.07	2,506.97	202,195.04
4/30/2021	WH-000491	ACS Whld 04/21	-580.06	199,108.01	2,506.97			199,108.01	2,506.97	201,614.98
5/31/2021	IV-000000604	Interest	620.81	199,108.01	3,127.78			199,108.01	3,127.78	202,235.79
5/31/2021	WH-000510	ACS Whld 05/21	-449.44	198,658.57	3,127.78			198,658.57	3,127.78	201,786.35
6/30/2021	ALP-000300	Principal adjustment	-180,314.43	18,344.14	3,127.78			18,344.14	3,127.78	21,471.92
6/30/2021	ALP-000301	Principal adjustment	180,314.43	18,344.14	3,127.78	180,314.43		198,658.57	3,127.78	201,786.35
6/30/2021	IV-000000641	Interest	52.44	18,344.14	3,180.22	180,314.43		198,658.57	3,180.22	201,838.79
6/30/2021	IV-000000642	Interest	713.74	18,344.14	3,180.22	180,314.43	713.74	198,658.57	3,893.96	202,552.53
6/30/2021	WH-000525	Payment	-1,564.14	16,780.00	3,180.22	180,314.43	713.74	197,094.43	3,893.96	200,988.39
7/7/2021		Ending balance		16,780.00	3,180.22	180,314.43	713.74	197,094.43	3,893.96	200,988.39